



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: C-1

June 9, 2009

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

54

JUNE 9, 2009

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**APPROVE THE APPROPRIATION ADJUSTMENT AND  
AWARD A PUBLIC WORKS CONSTRUCTION CONTRACT FOR  
TERMINO AVENUE DRAIN  
CITY OF LONG BEACH  
(SUPERVISORIAL DISTRICT 4)  
(4 VOTES)**

### SUBJECT

This action is to approve the Appropriation Adjustment, award a public works construction contract for Termino Avenue Drain, and authorize the Director of Public Works or her designee to execute the contract with the contractor for the construction of a storm drain system and water main in the City of Long Beach.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Approve the Appropriation Adjustment in the amount of \$9,000,000 to provide sufficient funding to award the construction contract for the Termino Avenue Drain project by canceling designations set aside in the Los Angeles County Flood Control District Fund for this project and increasing the Services and Supplies appropriation in the Los Angeles County Flood Control District Fund.

2. Award and authorize the Director of Public Works or her designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractor for Project ID No. FCC0000530 - Termino Avenue Drain, to construct a storm drain system and water main, City of Long Beach, to W. A. Rasic Construction Company, Inc., in the amount of \$22,640,000.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain the Board of Supervisor's (Board) approval of the Appropriation Adjustment in the amount of \$9,000,000 and to award this construction contract and authorize the Director of Public Works or her designee to execute the contract and establish the effective contract date following receipt of approved bonds and insurance filed by the contractor for this project.

The attachment includes the project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also attached including addenda to the contract specifications for this project.

The recommended construction contract is necessary to execute a Board-directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected communities.

### **FISCAL IMPACT/FINANCING**

The recommended contract amount of \$22,640,000 will have no impact to the County General Fund. The attachment includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

Of the \$22,640,000 recommended contract amount, \$13,640,000 is included in the Los Angeles County Flood Control District Budget for Fiscal Year 2008-09. Upon your Board's approval of the attached Appropriation Adjustment, an additional \$9,000,000 will be made available by canceling designations set aside in the Los Angeles County Flood Control District Fund for this project and increasing the Services and Supplies appropriation in the Los Angeles County Flood Control District Fund.

This project is entirely within the City of Long Beach (City). A City-County cooperative agreement provides for the City to finance its share of the project cost estimated to be \$716,650.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract agreement will be in the form previously reviewed and approved by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

This contract contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the lowest responsive and responsible bidder, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to the lowest responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

#### **ENVIRONMENTAL DOCUMENTATION**

The Certified Environmental Impact Report was approved by your Board on July 29, 2008, Agenda Item 36. The Certified Environmental Impact Report found that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific consideration of the project as outlined in the Findings of Fact and Statement of Overriding Considerations.

#### **CONTRACTING PROCESS**

The contract was solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractor.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

The Honorable Board of Supervisors  
June 9, 2009  
Page 5

**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,



GAIL FARBER  
Director of Public Works

GF:JTS:lgn

Attachment

c: Chief Executive Office (Lari Sheehan)  
County Counsel  
Executive Office  
Office of Affirmative Action Compliance

**REQUEST FOR APPROPRIATION ADJUSTMENT**  
**DEPARTMENT OF PUBLIC WORKS**

NO. 690

May 18, 2009

AUDITOR-CONTROLLER

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO  
 ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR  
 ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE

**FISCAL YEAR 2008-09**  
**4 - VOTE BUDGET ADJUSTMENT**

SOURCES

Department of Public Works  
 Flood Control District Fund  
 B07 - 3039  
 Designation for Termino Avenue Drain 9,000,000  
 DECREASE DESIGNATION

---

 \$9,000,000
 

---

USES

Department of Public Works  
 Flood Control District Fund  
 B07 - PW - 2000 - 47000  
 Services and Supplies 9,000,000  
 INCREASE APPROPRIATION

---

 \$9,000,000
 

---

JUSTIFICATION


This adjustment is necessary to provide sufficient appropriation in Services and Supplies to award the Termino Avenue Drain project contract for construction of a storm drain system and water main in the City of Long Beach in Fiscal Year 2008-09 as per attached Board Letter.

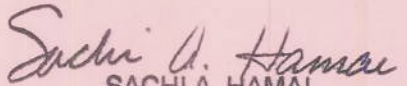
**ADOPTED**  
 BOARD OF SUPERVISORS  
 COUNTY OF LOS ANGELES

(Control No. 09-25)

CHIEF ADMINISTRATIVE OFFICER'S REPORT

JUN 9 2009

  
 GAIL FARBER, Director

  
 SACHI A. HAMAI  
 EXECUTIVE OFFICER

 REFERRED TO THE CHIEF  
 ADMINISTRATIVE OFFICER FOR---


ACTION

APPROVED AS REQUESTED

AS REVISED

 ✓  
 RECOMMENDATION

 5/25/09  
 APPROVED (AS REVISED):  
 BOARD OF SUPERVISORS

  
 CHIEF ADMINISTRATIVE OFFICER

AUDITOR-CONTROLLER

BY

NO. 220

BY

DEPUTY COUNTY CLERK

AWARD OF CONTRACT  
June 9, 2009

PROJECT ID NO. FCC0000530 - TERMINO AVENUE DRAIN (City of Long Beach),  
Supervisory District 4

TYPE OF WORK: Construct a storm drain system and water main and the  
performance of other appurtenant work.

CALL FOR BIDS DATE: March 3, 2009 (Agenda Item 42)

BID OPENING DATE: April 21, 2009

BID SUMMARY:

Low	W. A. Rasic Construction Company, Inc., a corporation 7314 Scout Avenue Bell Gardens, California 90201 (562) 928-6111	\$22,640,000.00
2	KEC Engineering	\$22,922,715.00
3	Sukut Construction, Inc.	\$22,950,124.00
4	Flatiron West/CM Peich	\$23,153,512.00
5	Mike Bubalo Construction Company, Inc.	\$23,520,695.00
6	Southern California Pipeline Construction, Inc.	\$24,088,620.00
7	Steve Bubalo Construction Company	\$24,400,022.00
8	Mountain Cascade, Inc.	\$26,349,340.00
9	Colich & Son L.P.	\$26,527,254.00
10	J. F. Shea Construction, Inc.	\$26,563,880.00
11	MPS - DLSB	\$27,832,700.00
12	Vasij, Inc.	\$29,620,963.00
13	Steve P. Rados, Inc.	\$31,595,380.00

FINANCIAL INFORMATION:

Amount of estimate	\$23,394,372.00
Amount of recommended contract	\$22,640,000.00
Amount of recommended contract below estimate	\$ 754,372.00

The amount of the recommended contract is 3.2 percent below the estimate.

The project is entirely within the City of Long Beach. A City-County cooperative agreement provides for the City to finance its share of the project cost. Sufficient funds for this project are included in the Los Angeles County Flood Control District Budget for Fiscal Year 2008-09.

The attached Appropriation Adjustment releases \$9,000,000 in designations previously set aside for this project.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

W. A. Rasic Construction Company, Inc., has two MWBE subcontractors/suppliers under this contract yielding a DBE participation of 8 percent. This contract does not have a Federal or State DBE goal.

ENVIRONMENTAL IMPACT:

The Certified Environmental Impact Report was approved by your Board on July 29, 2008, Agenda Item 36. The Certified Environmental Impact Report found that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific consideration of the project as outlined in the Findings of Fact and Statement of Overriding Considerations.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 520 working days. It is estimated the work will start in October 2009 and be completed in November 2011.

RE:sc